

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

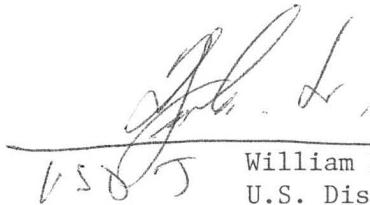
)  
Fluxo-Cane Overseas, Ltd., )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                             )      Case No.: 08-CV-0356 (WDQ)  
                                )  
                                )  
E.D. & F. Man Sugar Inc., )  
                                )  
                                )  
Defendant *in personam*     )  
                                )  
and                             )  
                                )  
Cargo of 17,727 Metric Tons, More or     )  
Less of Raw Sugar Laden on Board the     )  
M/V TINA LITRICO and related bills     )  
of lading, *in rem*                         )  
                                )  
Defendants.                     )  
                                )

**ORDER**

Upon consideration of the joint request of the Parties that this Court permit Defendant E.D. & F. Man Sugar, Inc. to substitute an Irrevocable Standby Letter of Credit in the amount of \$6,300,000.00, issued by Rabobank in favor of Plaintiff Fluxo-Cane Overseas, Ltd. and deemed present in this District, as a substitute res in lieu of that cargo of sugar onboard the M/V TINA LITRICO now under attachment (the "Sugar Cargo"), without prejudice to any of the rights or defenses of the Parties in this matter;

It is this 13<sup>th</sup> day of February 2008, ORDERED:

That the foregoing Irrevocable Standby Letter of Credit is hereby substituted for the Sugar Cargo and the Sugar Cargo is hereby released from the Writ of Attachment, without prejudice to the Parties' rights and defenses, all of which are preserved.

  
William D. Quarles, Jr.  
U.S. District Judge